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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

MIYOKO'S KITCHEN, INC.,

 Plaintiff,

 v.

 KAREN ROSS, in her official capacity as
 Secretary of the California Department of Food
 and Agriculture, and STEPHEN BEAM, in his
 official capacity as Branch Chief of the Milk
 and Dairy Food Safety Branch,

 Defendants.

3:20-cv-00893-RS

**STIPULATION AND
 ORDER TO EXTEND DEADLINE TO
 COMPLETE FACT DISCOVERY**

Courtroom: 3
 Judge: Hon. Richard Seeborg

Action Filed: February 6, 2020
 Trial Date: August 23, 2021

STIPULATION

WHEREAS, this Court's Initial Case Management Scheduling Order (ECF No. 51) sets February 19, 2021, as the date for the Parties to complete all non-expert discovery,

WHEREAS, the Parties proposed and the Court issued an order adopting a briefing schedule for summary judgment setting March 1, 2021 as the date for Plaintiff Miyoko's Kitchen to file its opposition and cross-motion for summary judgment (ECF Nos. 53–54),

WHEREAS, Defendants Karen Ross and Stephen Beam seek the opportunity to review and evaluate Miyoko's cross-motion, determine whether any further discovery may be warranted, and if so, seek further fact discovery,

WHEREAS, Defendants made this request to Miyoko's and, to accommodate this request, the Parties agreed to extend the deadline to complete fact discovery to April 14, 2021,

WHEREAS, neither party intends to use this extension to collect additional information to be used in their expert disclosures, if any, and therefore do not request a change to the expert discovery deadlines or to any other deadline in the Initial Case Management Order, and

WHEREAS, Civil Local Rule 6-1(b) requires a court order when the enlargement of time would alter an event or deadline set by a prior order, therefore

THE PARTIES STIPULATE AND JOINTLY REQUEST THE COURT TO ORDER that the Initial Case Management Scheduling Order (ECF No. 51) be amended to change the date to complete fact discovery from February 19, 2021, to April 14, 2021.

Dated: February 5, 2021

Respectfully Submitted,

GUPTA WESSLER PLLC

XAVIER BECERRA
Attorney General of California
MYUNG J. PARK
Supervising Deputy Attorney General

/s/Neil K. Sawhney
NEIL K. SAWHNEY
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/s/ Michael S. Dorsi
MICHAEL S. DORSI
Deputy Attorney General
Attorneys for Defendants

As the attorney electronically filing this document, Michael S. Dorsi attests that Neil K. Sawhney concurred in the filing of this document. /s/ Michael S. Dorsi

ORDER

Plaintiff Miyoko's Kitchen and Defendants Karen Ross, in her official capacity as Secretary of the California Department of Food and Agriculture, and Stephen Beam, in his official capacity as Branch Chief of the Milk and Dairy Food Safety Branch, (collectively, "Parties"), stipulated to change the date to complete fact discovery from February 19, 2021, to April 14, 2021. The Parties attested that this extension of time will not cause a need to extend any other date set in the Court's Initial Case Management Order.

The Parties having agreed to this extension, shown good cause, and properly sought this extension by a stipulated request for an order, *see* N.D. Cal. Civil Local Rules 6-1(b), 6-2, and 7-12, the Court adopts the extension proposed by the Parties: on or before April 14, 2021, all non-expert discovery shall be completed by the Parties.

PURSUANT TO STIPULATION IT IS SO ORDERED.

Dated: February 5, 2021



HON. RICHARD SEEBORG
Chief United States District Judge
Northern District of California

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